



August 28, 2008

BY FACSIMILE (914) 390-4085

Hon. Cathy Seibel, U.S.D.J.
United States District Court for the
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Attention: Ms. Alice Kama, Court Deputy

Re: Progressive Northern Ins. Co. v. Daniel Beltempo, et al.
(U.S. Dist. Ct. S.D.N.Y., Index No. 7:07-cv-04033-CS)

Our File: SPT 9544

Dear Ms. Kama:

This firm is counsel to defendant Dana's Pro Trucking, Inc. Thank you for the Court's agreement to extend briefing on plaintiff Progressive's motion for summary judgment until September 26, 2008. By that date, Progressive's reply is to be filed and served, and the motion will be submitted on the papers. We have agreed with counsel for Progressive that our planned supplemental affidavit will be filed and served no later than September 19.

We are available at the Court's convenience should it require any further information or documents. Thank you again.

Respectfully submitted,

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